

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/643,015

Filing Date

August 18, 2003

First Named Inventor

Todd S. Emrick

Art Unit

1712

Examiner Name

Michael J. Feely

Attorney Docket Number

7163

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☒ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request
(submitted in duplicate)☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority
Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):

- Transmittal of IDS Before Final
Office Action
- Copies of non-patent references
and PCT publications

Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

Reinhart Boerner Van Deuren s.c.

Signature

Printed Name

Antonia M. Holland

Date

February 1, 2005

Reg.
No.

53,840

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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Date

February 1, 2005

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MW1166137



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Effective on 12/08/2004.
Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	10/643,015
Filing Date	08/18/2003
First Named Inventor	Todd S. Emrick
Examiner Name	Michael J. Feely
Art Unit	1712
Attorney Docket No.	7163

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____
☐ Deposit Account Deposit Account Number: 18-0882 Deposit Account Name: Reinhart Boerner Van Deuren s.c.
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any underpayments of fee(s) ☐ Credit any overpayments
Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description		Small Entity	
		Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)		50	25
Each independent claim over 3 (including Reissues)		200	100
Multiple dependent claims		360	180
Total Claims	Extra Claims	Fee(\$)	Fee Paid (\$)
_____ -20 or HP= _____	x _____	= _____	_____
HP = highest number of total claims paid for, if greater than 20.			
Indep. Claims	Extra Claims	Fee(\$)	Fee Paid (\$)
_____ - 3 or HP= _____	x _____	= _____	_____
HP = highest number of independent claims paid for, if greater than 3.			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	_____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	_____
Other (e.g., late filing surcharge): Submission of Information Disclosure Statement	\$180.00

SUBMITTED BY

Signature	<i>Antonia M. Holland</i>	Registration No. (Attorney/Agent)	53,840	Telephone	414-298-8285
Name (Print/Type)	Antonia M. Holland	Date	February 1, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. MW1166143
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Reinhart Boerner Van Deuren s.c.

By:

Antonia M. Holland
Antonia M. Holland

Date: February 1, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 1712

EXAMINER: MICHAEL J. FEELY

In re application of:)
Todd S. Emirck)
Application No: 10/643,015)
Filed: August 18, 2003)
Attorney Docket No. 7163)
Customer No. 22922)

For: PYRIDINE AND RELATED
LIGAND COMPOUNDS,
FUNCTIONALIZED
NANOPARTICULATE
COMPOSITES AND METHOD
OF PREPARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 1, 2005

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION OR NOTICE
OF ALLOWANCE (37 CFR 1.97(c))**

NOTE: "An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in § 1.17(p)." 37 CFR 1.97(c).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "If information submitted during the period set forth in 37 CFR 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However,

the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 CFR 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: *"A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).*

TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:

- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311,

whichever occurs first.

CERTIFICATION OR FEE

2. Accompanying this transmittal is

(check either A or B below)

- A. ☒ a certification as specified in 37 CFR 1.97(e)

OR

- B. ☐ the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

FEE PAYMENT

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00).

Fee due \$180.00

METHOD OF PAYMENT OF FEE

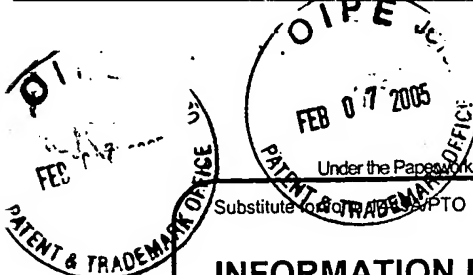
4. ☒ Attached is a check in the amount of \$180.00.
 ☐ Charge Account No. _____ in the amount of \$ ____.

A duplicate of this request is attached.

If any additional fees are due, please charge Account _____

BY Antonia M. Holland
Antonia M. Holland
Attorney/Agent for Applicant
Registration No. 53,840

Reinhart Boerner Van Deuren s.c.
1000 North Water Street
Suite 2100
Milwaukee, WI 53202
414 298-8285
Customer Number 22922



Substitute for PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/643,015
Filing Date	08/18/2003
First Named Inventor	Todd S. Emrick
Art Unit	1712
Examiner Name	Feely, Michael J.
Attorney Docket Number	7163

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 2003/0077625 A1	04-24-2003	James E. Hutchinson	
		US- 6,649,138 B2	11-18-2003	Edward William Adams, et al.	
		US- 6,468,808	10/22/2002	Nie, Shuming, et al.	
		US- 2004/0005243 A1	01/08/2004	Mulhern, Gregory, et al.	
		US- 2001/0023078 A1	09/20/2001	Bawendi, Moungi G., et al.	
		US- 2004/0033345 A1	02/19/2004	Dubertret, Benoit, et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	B1	WO 02/074997 A1	09-26-2002	QTL Biosystems, Inc.		
	B2	WO 02/20200	03-14-2002	Japan Science and Technology Corporation		
	B3	WO 03/037788 A1	05-08-2003	OXON-ICA Limited		
	B4	WO 02/073155 A1	09-19-2002	NABIEV, Igor, et al.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/643,015
		Filing Date	08/18/2003
		First Named Inventor	Todd S. Emrick
		Art Unit	1712
		Examiner Name	Feely, Michael J.
Sheet 2 of 3	Attorney Docket Number	7163	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A1	BALLOU, BYRON; LAGERHOLD, B. CHRISTOFFER; ERNST, LAUREN A.; BRUZZEZ, MARCEL P.; WAGGONER, ALAN S., Noninvasive Imaging of Quantum Dots in Mice, Molecular Biosensor and Imaging Center, and Department of Biological Sciences, Carnegie Mellon University, 4400 Fifth Avenue, Pittsburgh, Pennsylvania 15213 and Quantum Dot Corporation, 26118 Research Road, Hayward, California 94545, <i>Bioconjugate Chemistry</i> (2004 Jan-Feb), 15(1), 79-86.	
	A2	DUBERTRET, BENOIT; SKOURIDES, PARIS; NORRIS, DAVID J.; NOIREAUX, VINCENT; BRIVANLOU, ALI H.; LIBCHABER, ALBERT, In vivo imaging of quantum dots encapsulated in phospholipid micelles. <i>Center Studies in Physics and Biology, The Rockefeller Univ. New York, NY USA. Science</i> (Washington, DC, United States) (2002), 298 (5599), 1759-1762. CODEN: SCIEAS ISSN:0036-8075. Journal Written in English. CAN 138:333818 AN 2002:896503 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A3	AKERMAN, MARIA E.; CHAN, WARREN C.W.; LAKKONEN, PIRJO; BHATIA, SANGEETA N.; RUOSLAHTI, ERKKI. Nanocrystal Targeting In Vivo. <i>Cancer Research Center, The Burnham Institute, La Jolla, CA USA. Proceedings of the National Academy of Sciences of the United States of America</i> (2002), 99(20), 12617-12621. CODEN PNAS6 ISSN: 0027-8424. Journal Written in English. CAN 139:26451 AN 2002:795199 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A4	WESTENHOFF, SEBASTIAN; KOTOV, NICHOLAS A. Quantum Dot on a Rope. <i>Journal of the American Chemical Society</i> (2002), 124(11), 2448-2449. CODEN:JACSAT ISSN: 002-7863. Journal Written in English. CAN 136:326009 AN 2002:145011 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A5	COSTANZO, PHILIP J.; PATTEN, TIMOTHY E.; Synthesis of Nanostructures comprised of biotinylated CdS/SiO ₂ Nanoparticles. <i>Department of Chemistry, University of California, Davis, Davis CA, USA. Abstracts of Papers, 226th ACS National Meeting, New York, NY United States, September 7-11, 2003 (2003), PSME-200. Publisher: American Chemical Society, Washington D.C. CODEN:69EKY9 Conference; Meeting Abstract written in English. AN 2003:636583 CAPLUS (Copyright 2004 ACS on SciFinder (R))</i>	
	A6	COSTANZO, PHILIP J.; PATTEN, TIMOTHY E.; SMITH, ROSEMARY. Synthesis of an α -siloxy- ω -amino poly(ethylene glycol) for use in ligating biological molecules to nanoparticles. <i>University of California at Davis, Davis, CA, USA. Polymer Preprints (American Chemical Society, Division of Polymer Chemistry)</i> (2003), 44(1), 554-555. CODEN: ACPPAY ISSN: 0032-3934. Journal written in English. CAN 139:7333 AN 2003:210992 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A7	BILLANCIA, GIANMARCO; WOUTERS, DAAN; PRECUP, ANDREI A.; SCHUBERT, ULRICH S. Towards Functionalized nanoparticles. Laboratory of Macromolecular and Organic Chemistry, Eindhoven Univ. of Tech., Eindhoven, Neth. <i>Polymeric Materials Science and Engineering</i> (2001), 85 508-509. CODEN: PMSEDG ISSN: 0743-0515. Journal Written in English. CAN 134:289177 AN 2001:585299 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A8	HONG, RUI; FISCHER, NICHOLAS O.; VERMA, AYUSH; GOODMAN, CATHERINE MCINTOSH; EMRICK, TODD; ROTELLO, VINCENT. Control of Protein structure and function through surface recognition by tailored Nanoparticle scaffolds. Department of Chemistry, University of Massachusetts Amherst, Amherst, MA, USA. <i>Abstracts of Papers, 226th ACS National Meeting, New York, NY, United States, September 7-11, 2003 (2003). ORGN-575. Publisher: American Chemical Society, Washington D.C. CODEN:69EKY9 Conference; Meeting Abstract written in English. AN 2003:635661 CAPLUS (Copyright 2004 ACS on SciFinder (R))</i>	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/643,015
		Filing Date	08/18/2003
		First Named Inventor	Todd S. Emrick
		Art Unit	1712
		Examiner Name	Feely, Michael J.
Sheet 3 of 3	Attorney Docket Number	7163	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A9	SKAFF, HABIB; EMRICK, TODD. The use of 4-substituted pyridines to afford Amphiphilic, pegylated cadmium selenide nanoparticles. Department of Polymer Science and Engineering, University of Massachusetts, Amherst, MA, USA. <i>Chemical Communications</i> (Cambridge, United Kingdom) (2003), (1), 52-53. CODEN:CHCOFS ISSN: 1359-7345. Journal Written in English. CAN 138:344463 AN 2003:22276 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A10	BHADRA D; BHADRA S; JAIN P; JAIN NK. Pegnology: a review of PEG-ylated systems. Department of Pharmaceutical Sciences, Dr. Harisingh Gour University, Sagar, India PHARMAZIE (2002 Jan), 571(1), 5-29. Journal Code: 9800766. ISSN:0031-7144. Journal; Article; (JOURNAL ARTICLE); General Review; (REVIEW); (REVIEW, ACADEMIC) written in English. DN 21825544 PubMed ID 11836932 AN 2002104824 MEDLINE (Copyright 2004 U.S.National Library of Medicine on SciFinder (R))	
	A11	QI, LIMIN; COELFEN, HELMUT; ANTONIETTI, MARKUS. Synthesis and Characterization of CdS Nanoparticles Stabilized by Double-Hydrophilic Block Copolymers. Research Campus Golm, Max-Planck-Institute of Colloids & Interfaces Colloid Chemistry, Potsdam, Germany. Nano Letters (2001), 1(2), 61-65. CODEN:NALEFD ISSN: 1530-6984. Journal written in English. CAN 134:164036 AN 2000:866753 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A12	HIRAI, TAKAYUKI; SAITO, TSUYOSHI; KOMASAWA, ISAO. Recovery and Immobilization of Metal Sulfide Nanoparticles from Reverse Micellar System onto Thiol-Modified Polystyrene Particles. Department of Chemical Science and Engineering Graduate School of Engineering Science, Osaka University, Toyonaka, Japan. <i>Journal of Physical Chemistry B</i> (2000), 104(49), 11639-11643. CODEN:JPCBFK ISSN: 1089-5647. Journal written in English. CAN 134:76894 AN 2000:805447 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A13	GREF, RUXANDRA; COUVREUR, PATRICK; BARRATT, GILLIAN; MYSIAKINE, EVGUENI. Surface-Engineered nanoparticles for multiple ligand coupling. UMR CNRS< School of Pharmacy, University of Paris Sud, Chateaufort, Fr. <i>Biomaterials</i> (2003), 24(24), 4529-4537. CODEN:BIMADU ISSN: 0142-9612. Journal written in English. AN 2003:612437 CAPLUS (Copyright 2004 ACS on SciFinder (R))	
	A14	OUYANG, MIN; AWSCHALOM, DAVID D. Coherent Spin Transfer Between Molecularly Bridged Quantum Dots. Department of Physics and Center for Spintronics and Quantum Computing, University of California, Santa Barbara, CA, USA> <i>Science</i> (Washington DC, United States) (2003), 302(5636), 1074-1078	
	A15	NAKAJIMA, ANRI. Fabrication of Si and metal nanoscale dot structures and their application to single-electron devices. Research Center for Nanodevices and Systems, Hiroshima University, Hiroshima, Japan. <i>Recent Research Developments in Applied Physics</i> (1999), 2(Pt. 2), 637-716.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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